

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – July 28, 2005
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-41, 43-52, 54-63)*

Members: Henry P. Szymanski *(voting on items 1-63)*
Scott R. Winkler *(voting on items 1-63)*
Catherine M. Doyle *(voting on items 1-45, 47-63)*
Donald Jackson *(voting on items 1-63)*

Alt. Board Members: Georgia M. Cameron *(voting on items 42,46,53,59 recused)*
Leni M. Siker *(present on items 43-63)*

START TIME: 2:10 p.m.

End Time: 3:45 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	26697 Special Use	Michael Hutchinson Lessee Request to occupy the premises as an elementary/secondary school.	5444 W. Fond Du Lac Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	26745 Special Use	Ann Hutchinson, Lessee Request to occupy a portion of the premises as a day care center for 100 children (50 per shift) infant to 12 yrs of age, Monday-Friday 6:00AM-10:00PM.	5444 W. Fond Du Lac Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	26828 Special Use	Troy Borgen, Lessee Request to occupy the premises as a motor vehicle repair facility.	909 E. Locust Av. A/K/A 2872 N. Bremen St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
4	26849 Dimensional Variance	James & Suzanne Holton, Property Owner Request to divide the parcel and construct a single family dwelling with an access drive partially located on the adjoining lot.	2115 E. Lafayette Pl. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
5	26858 Use Variance	Munem Abukhamireh, Lessee Request to continue occupying the 1st & 2nd floors of the premises as a personal service facility(salon).	3041-43 N. Oakland Av. 3rd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That this Variance is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	26859 Special Use	Jonathan & Donna Moberg, Property Owner Request to continue occupying the premises as a contractor's yard (wood & building materials). Action: Granted 5 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	3477 N. Weil St. 3rd Dist.
7	26789 Special Use	Community Care Organization Inc., Property Owner Request to continue occupying the premises as a community based residential facility for 80 adult residents. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	1825 N. Prospect Av. 3rd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	26830 Special Use	Mitchell of Delaware, Inc., Property Owner Request to continue occupying the premises as a parking lot.	766 N. Jackson St. A/K/A 780 N. Jackson St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
9	26841 Special Use	Craig Harper, Property Owner Request to continue occupying the premises as a transitional living facility (formally classified as a rooming house) (22 female clients and 8 staff).	727 N. 31st St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	26866 Special Use	Dulce M.B. Trejo, Prospective Buyer Request to occupy the premises as a motor vehicle repair and sales facility.	3329 W. Vliet St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That all repair work is conducted inside of the building.</p> <p>7. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>9. That no occupancy certificate is issued until all pending code violations are corrected.</p> <p>10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	26806 Special Use	Fish & Chicken Basket Inc., Lessee Request to occupy the premises as a fast-food/carry-out restaurant with a drive-thru facility.	10110 W. Silver Spring Dr. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening must meet the requirements of s.295-405 of the Milwaukee Zoning Code.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	26811 Special Use	U-Haul Real Estate, Property Owner Request to continue occupying the premises as a motor vehicle sales, leasing, and rental facility with mini warehouses (was not included on previous approval).	7677 W. Appleton Av. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That the banner sign be removed from the planting strip along the Appleton Ave.</p> <p>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 28, 2012.</p>	
13	26861 Special Use	Maurice Alderson, Lessee Request to continue occupying the premises as a day care center for 14 children 2 - 7 yrs. of age, 5:30 a.m. to 12:00 a.m. Monday thru Friday and 9:00 a.m. to 5:00 p.m. on Saturday.	7980 W. Appleton Av. A/K/A 7982 W. Appleton Av. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	26865 Special Use	<p>Betty J. Jamerson, Lessee</p> <p>Request to amend the hours of operation from 5:00 a.m. - 11:00 p.m. to 5:00 a.m. - midnight, Monday thru Friday and continue occupying the premises as a day care center for 60 children infant to 12 yrs. of age.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>9818 W. Sheridan Av. 5th Dist.</p>
15	26796 Special Use	<p>Boykin Blackman, Lessee</p> <p>Request to continue occupying the premises as car wash, and a motor vehicle repair and sales facility(tires).</p> <p>Action: Adjourned</p> <p>Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.</p>	<p>3854 N. Teutonia Av. 6th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	26802 Special Use	Sujin Lee, Prabhu Kasthurirangaian of S&P Investments, LLC;Property Owner	400 E. Burleigh St. 6th Dist.
		Request to occupy the premises as a general retail establishment (grocery store).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a signage plan that meets the intent of s.295-505-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically wall signage is limited to a maximum of one sign along the North Buffum Street frontage and one sign along the East Burleigh Street frontage and that neither wall sign not exceed an area of 18 square feet.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>6. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>7. That the exterior window grates be removed from the storefront windows.</p> <p>8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	26852 Special Use	Eric S. Upchurch, Prospective Buyer Request to continue occupying the premises as a religious assembly.	2823 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	26863 Special Use	Andre & James Carter, Lessee Request to amend the number of children from 14 to 21 for the existing school (day care located on site has no increase in children).	3936 W. Fond Du Lac Av. A/K/A 3934 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 18, 2007.	
19	26874 Special Use	St. Peter M.B. Church, Property Owner Request to continue occupying the premises as a religious assembly.	3057 N. 35th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	26857 Special Use	Amira Otallah, Property Owner Request to occupy the premise as a day care center for 100 children (50 children per shift) infant to 12 yrs of age, Monday-Friday 6:00 AM - 6:00 PM.	2439 W. Mitchell St. A/K/A 2437 W Mitchell St 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. That the petitioner obtains a loading zone in front of the premises. 9. That the off-street parking area be paved in accord with Milwaukee Code 252.74. 10. That the petitioner obtains an occupancy certificate and complies with current State commercial code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That all day care activity is restricted to the first floor. 12. That there is no parking on unpaved surfaces. 13. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	26876 Special Use	David A. Syrrakos, Lessee Request to continue occupying the premises as a motor vehicle repair facility.	2617 S. 31st St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all repair work is conducted inside of the building. 6. That no work or storage of vehicles occurs in the public right-of-way. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	26834 Special Use	Aslam Kahn, dba Midwest Hospitality, LLC; Lessee Request to occupy the premises as a fast-food/carryout restaurant with a drive through facility (former fast-food facility on site).	8111 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening meets the requirements of s.295-405 of the Milwaukee Zoning Code. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	26846 Special Use	<p>Julia Williams, Property Owner</p> <p>Request to continue occupying the premises as a day care center for 35 children infant to 12 yrs. of age, 6:00 a.m. - 8:00 p.m. Monday thru Friday.</p>	4702 W. Vliet St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are complied with.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
24	26856 Special Use	<p>Kimberly Hubbard, Bessie's Kiddie Kollege Phase 2; Lessee</p> <p>Request to continue occupying the premises as a 24hr day care center for 68 children infant to 12 yrs. of age, Monday-Sunday.</p>	7365 W. Appleton Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	26833 Special Use	David Abbil, Property Owner Request to continue occupying the premises as a community based residential facility for 20 residents (elderly).	3031 W. Fardale Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	26667 Special Use	Efren & Ramiro Gonzalez, Property Owner Request to occupy the premise as a motor vehicle repair facility.	2201 S. 13th St. A/K/A 1308 W Windlake AV 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all repair work is conducted inside of the building. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on June 2, 2005. 8. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 9. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 10. That all pending code violations are corrected prior occupancy of the building. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	26818 Special Use	Armando & Irma Maldonado Property Owner Request to occupy the premise as a general retail establishment (grocery store).	2001 S. 7th St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the first floor storefront windows along the South 7th Street frontage are restored to clear glass and are maintained in an attractive manner. A plan indicating how this will be accomplished must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That a signage plan that meets the intent of s.295-505-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically wall signage is limited to a maximum of one sign along the West Rogers Street frontage and one sign along the South 7th Street frontage and that neither wall sign not exceed an area of 18 square feet.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	26741 Special Use	Pastor Jeffrey Pruitt, Faith Builders International;Property Owner Request to construct an addition to the existing religious assembly facility.	4901 S. Howell Av. 13th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That any new signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That landscaping and screening is implemented and maintained in accordance with the landscape plan approved by DCD on July 13, 2005 and that the landscaping is installed within 90 days of the completion of the building addition weather permitting.</p> <p>6. That the petitioner obtains an occupancy certificate and complies with current State commercial code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</p>	
29	26812 Special Use	Christina Roldan, Lessee Request to occupy the premises as a day care center for 40 children infant to 12yrs of age, Monday-Friday 6:00 AM - 6:00PM.	2922 S. 13th St. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	26827 Special Use	Speedway SuperAmerica LLC Ronald L. Edmiston;Property Owner	369 E. Oklahoma Av. 14th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in accordance with city code.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>9. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	26820 Special Use	Willie Mae Moore, Property Owner Request to occupy the premises as an adult family home for 3 individuals (adults age 60 and over).	2319 N. 39th St. 15th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
32	26824 Special Use	Beverly Jones, Property Owner Request to continue occupying the premises as a 24 hrs. family day care home for 8 children infant to 13 yrs. of age, Monday - Sunday (no drop off or pick up between 10:30 P.M. and 6:30 A.M).	2005 N. 36th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That there be no signage associated with the day care facility. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	26831 Dimensional Variance	Fondy Food Center, Inc., Lessee Request to erect a 3 wall signs that exceed the maximum required sign area to the existing seasonal market.	2200 W. Fond Du Lac Av. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
34	26808 Special Use	Peace of Mind Child Development Center Lessee Request to occupy a portion of the premises as a 24 hr. day care center for 135 children (55 max. on 1st and 2nd shift/ 25 max. on 3rd shift) infant to 12 yrs. of age.	2127 W. Garfield Av. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	26836 Special Use	Autotronix LLC, Lessee Request to continue occupying the premises as a motor vehicle repair facility with body shop and painting.	4503-09 W. North Av. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all repair work is conducted inside of the building with the overhead doors closed. 6. That no work or storage of vehicles occurs in the public right of way. 7. That no vehicles associated with this use be parked in the alley or on neighboring properties without permission. 8. That the applicant provide a contact phone number to the alderman, the Board, and any resident who requests it. 9. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	26807 Special Use	Terrell Bell, Prospective Buyer Request to occupy the premises as a hand car wash.	5250 N. Sherman Bl. 1st Dist.
	Action:	Denied 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code for an LB2 district.</p> <p>6. That all car wash activity is conducted inside of the building.</p> <p>7. That all wastewater is contained on site.</p> <p>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>9. That the petitioner obtains an occupancy certificate and complies with current State commercial code for automotive occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>10. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>11. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	26823 Special Use	Anthony L. Smith, Property Owner Request to continue occupying the premises as a social service facility (office, training, meeting).	4949 W. Villard Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	26854 Special Use	Michael & Ann Hutchinson, Lessee Request to continue to occupy the 1st floor of the premises as a day care center for 100 children per shift infant to 12yrs of age, 6:00 AM - 11:00PM Monday-Friday, and to add an elementary/secondary school to the 2nd floor and a portion to the 1st floor Monday-Friday 7:00 AM - 5:00 PM.	5226 W. Hampton Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 17, 2008.</p>	
39	Proposed rules change	Discussion and possible action regarding changes to the Board's Rules of Procedure regarding Change of operator requests	
	Action:	Granted	
	Motion:	Scot Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	26472 Special Use	Evaughn High; Grace Family Day Care School, No Middle Ground Worship Center; Lessee Request to occupy the premises as a religious assembly hall (Wednesday/Friday evenings & Sunday mornings), elementary/secondary school and day care center for 99 children, 6 wks. to 12 yrs. of age, Monday-Friday 6:00 AM - 6:00 PM.	6406 N. 76th St. A/K/A 6540 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the matter. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
41	25825 Special Use	Mary Jones, Lessee Request to occupy the premises as a community living arrangement for 4 developmental disabled residents.	4635 N. 66th St. 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	26756 Use Variance	Doris J. Pinkney, Prospective Buyer Request to add an elementary/secondary school to the existing day care center.	1420 N. 33rd St. 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
43	26798 Special Use	Milwaukee School of Engineering Attn. Mike Multhauf; Property Owner Request to occupy the premises as a surface parking expanding the adjacent existing parking lots.	1025 N. Milwaukee St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner work with the Zoning Administration Group on plans to upgrade the landscaping and screening on other parking lots on the petitioner's campus. Revised drawings that reflect these changes must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	26825 Special Use	<p>Venner Alston, First Steps Christian Learning Academy;Property Owner</p> <p>Request to add a school (elementary or secondary) to the existing board approved religious assembly and day care center.</p> <p>Action: Granted</p> <p>Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on June 29, 2009. 	2605 W. Vliet St. 4th Dist.
45	26829 Use Variance	<p>Patrick A. Wilber, Property Owner</p> <p>Request to convert the 3rd floor into a 1-unit apartment increasing the existing 7-unit apartment dwelling to 8-unit apartment dwelling.</p> <p>Action: Denied</p> <p>Motion: Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.</p> <p>Vote: 3 Ayes, 1 Nays, C. Zetley Abstained.</p>	2459 W. Michigan St. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	26837 Appeal of an Order	Jackson Square LLC, Leon & Robert Joseph;Property Owner Request to appeal an ordered issued by the Department of Neighborhood Services determining the premises is not meeting the landscaping requirements following the demolition of a structure in any downtown zoning district.	167-89 N. Jackson St. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	26732 Special Use	Wisconsin African American Women, Ltd., Property Owner Request to occupy the premises as a community center.	3020 W. Vliet St. 4th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26736 Dimensional Variance	<p>Clorine Harris, Property Owner</p> <p>Request to construct an addition to the existing residential dwelling without the minimum required east side setback, with out the minimum side setback adjustment for excessive depth, and over the required lot coverage.</p>	2704 N. 87th St. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That these Variances are granted to run with the land.</p>	
49	26821 Special Use	<p>New Haven MBC, Tangie & Michael Cokes;Lessee</p> <p>Request to occupy a portion of the premises as a religious assembly hall (without the code required parking).</p>	3733 N. Teutonia Av. A/K/A 3327 N. Teutonia Av. 6th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
50	26826 Special Use	<p>Goodwill Industries of Southeastern Wisconsin Inc., Attn: Vickie L. Volpano;Prospective Buyer</p> <p>Request to combine the lots and construct a second-hand store on the premises.</p>	3908 N. Palmer St. A/K/A 3880 N Palmer St 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	26813 Special Use	Thomas & Denise Dale, Property Owner Request to occupy the premises as an adult family home for 4 residents.	4207 N. 39th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
52	26860 Use Variance	Jeannetta L. Robinson, Lessee Request to continue occupying the premises as an elementary/secondary school (grades 9th-12th).	3026 W. Concordia Av. A/K/A 3305 N 30th St 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	
53	26629 Special Use	Alejandro Mora, Mora's Auto Sales Ltd.;Property Owner Request to occupy the premises as a motor vehicle sales and repair facility (tire installation).	3120 W. Burnham St. 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	26819 Special Use	DJ Perkins Academy of Excellence Continuous Love Family Center; Lessee Request to occupy a portion of the premises as a elementary/secondary school for 100 students, Monday-Friday 8:00 AM - 3:40 PM and day care facility for 33 children infant to 12 yrs of age, Monday-Saturday 5:30 AM - 10:00 PM.	9155-57 N. 76th St. A/K/A 9127 N 76th St 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available hearing.	
55	26698 Special Use	Lakisha Nash, Lessee Request to occupy a portion of the premises as a school (elementary or secondary) for 50 children, k4 - 3rd grade.	6815 W. Capitol Dr. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	26795 Special Use	Familia Batuque, LLC, Lessee Request to occupy the premises as a community center.	3928 W. St. Paul Av. A/K/A 3934 W. St. Paul Av. 10th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
56	26702 Dimensional Variance	Kendall Breunig, Lessee Request to allow a 6 ft. fence with razor wire on the premises.	1201 W. Canal St. 12th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	26815 Special Use	Mohammad K. Ali, Prospective Buyer Request to combine the parcels and construct a motor vehicle filling station.	902-14 W. National Av. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner work with the Zoning Administration Group to resolve site and canopy design issues and that revised site plans and canopy elevations must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 30 days of Board approval of the special use and prior to the project submission to the Development Center for permitting purposes. 5. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code for Type B landscaping, including a residential buffer with a 6-foot high opaque fence along the northern property line, must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 30 days of Board approval of the special use and prior to the project submission to the Development Center for permitting purposes. 6. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 30 days of Board approval of the special use and prior to the project submission to the Development Center for permitting purposes. Specifically, the pylon sign must not exceed 14 feet in height and the sign area must not exceed 32 square feet. (Ideally, the sign should be incorporated into the urban edge treatment) 7. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 30 days of Board approval of the special use and prior to the project submission to the Development Center for permitting purposes. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 9. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises. 10. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 11. That the applicant does not have outdoor storage or display of products or merchandise. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	26844 Special Use	Ralph Kramer, Lessee Request to occupy the premises as a medical service facility and a transitional living facility for up to 65 residents.	2819 N. 32nd St. A/K/A 2835 N. 32nd St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That an advisory board be established and a contact person be made available to all interested parties.</p> <p>6. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</p>	
60	26781 Special Use	Pat Echols, Property Owner Request to add a school (elementary or secondary) to the existing board approved day care center, (total number of children for both 80).	4861 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	26704 Special Use	Eddie Mae Martin, Property Owner Request to occupy the premises as an elementary school for 50 children ranging in age from 3 to 6 years (will replace existing day care center on site).	4502 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
62	26809 Special Use	Milwaukee Outreach Center Inc., Lessee Request to occupy a portion of the premises as a social service facility.	6647 W. Mill Rd. A/K/A 6601 W. Mill Rd. 2nd Dist.
	Action:	Denied 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the facility not house sex offenders. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
63	26810 Use Variance	Laverne S. Davis, Property Owner Request to occupy a portion of the premises (unit #1) as a day care center for 5 children infant to 12 yrs of age, Monday-Friday 6:00 AM - midnight.	7123 W. Hampton Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
---------------------------	--------------------------------------	--------------------	------------------------------------

Other Business:

Board member Winkler moved to approve the minutes of the July 7, 2005 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for September 15, 2005.

Board member Szymanski moved to adjourn the meeting at 3:45 p.m. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board